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LOS ANGELES  
BY: *clm*

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Attorneys for Plaintiff and Counter-Defendant CENTOCOR ORTHO  
BIOTECH, INC. and Third-Party Defendants GLOBAL  
PHARMACEUTICAL SUPPLY GROUP, LLC, CENTOCOR BIOLOGICS,  
LLC and JOM PHARMACEUTICAL SERVICES, INC.

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

CENTOCOR ORTHO BIOTECH,  
INC. ,

Plaintiff,

v.

GENENTECH, INC. and CITY OF  
HOPE,

Defendants.

AND RELATED COUNTER AND  
THIRD-PARTY AFFILIATES

Case No. CV 08-03573 MRP (JEMx)

The Honorable Mariana R. Pfaelzer

**CERTIFICATE OF SERVICE**

Date: August 17, 2010  
Time: 11:00 a.m.  
Ctm: 12

CERTIFICATE OF SERVICE

I, Dori Dellisanti, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of Los Angeles, State of California, and not a party to the above-entitled cause. My business address is Connolly Bove Lodge & Hutz LLP, 333 South Grand Avenue, Suite 2300, Los Angeles, California 90071.

On August 3, 2010, I served the foregoing documents described as:

1. **CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-DEFENDANT AFFILIATES' REPLY IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT OF NO WILLFUL INFRINGEMENT (MOTION NO. 1).**
2. **CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-DEFENDANT AFFILIATES' RESPONSE TO DEFENDANTS' STATEMENT OF UNDISPUTED FACTS IN SUPPORT OF CENTOCOR'S MOTION FOR SUMMARY JUDGMENT OF NO WILLFUL INFRINGEMENT (MOTION NO. 1)**
3. **REPLY IN SUPPORT OF CENTOCOR ORTHO BIOTECH, INC. AND ITS CROSS DEFENDANT AFFILIATES' MOTION FOR SUMMARY JUDGMENT OF NO INFRINGEMENT OF CLAIM 33 (MOTION NO. 3) AND RESPONSE TO DEFENDANTS' CROSS MOTION FOR SUMMARY ADJUDICATION.**
4. **RESPONSE TO DEFENDANTS' STATEMENT OF UNDISPUTED FACTS AND CONCLUSIONS OF LAW IN SUPPORT OF CENTOCOR'S MOTION FOR SUMMARY JUDGMENT OF NO INFRINGEMENT OF CLAIM 33 (MOTION NO. 3) AND RESPONSE TO DEFENDANTS' STATEMENT OF FACTS IN SUPPORT OF THEIR CROSS MOTION FOR SUMMARY ADJUDICATION.**
5. **CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-DEFENDANT AFFILIATES' REPLY IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF CLAIM 33 FOR FAILURE TO COMPLY WITH 35 USC § 112 (MOTION NO. 4).**
6. **CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-DEFENDANT AFFILIATES' RESPONSE TO DEFENDANTS' STATEMENT OF UNDISPUTED FACTS IN SUPPORT OF CENTOCOR'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF CLAIM 33 FOR FAILURE TO COMPLY WITH 35 USC § 112 (MOTION NO. 4).**
7. **CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-DEFENDANT AFFILIATES' REPLY IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT OF ANTICIPATION (MOTION NO. 5).**
8. **CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-DEFENDANT AFFILIATES' RESPONSE TO DEFENDANTS' STATEMENT OF UNDISPUTED FACTS IN SUPPORT OF**

**CENTOCOR'S MOTION FOR SUMMARY JUDGMENT OF ANTICIPATION (MOTION NO. 5).**

9. **CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-DEFENDANT AFFILIATES' REPLY IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT THAT CLAIM 33 IS INVALID FOR FAILURE TO DISCLOSE THE BEST MODE (MOTION NO. 6).**
10. **CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-DEFENDANT AFFILIATES' RESPONSE TO DEFENDANTS' STATEMENT OF UNDISPUTED FACTS IN SUPPORT OF CENTOCOR'S MOTION FOR SUMMARY JUDGMENT THAT CLAIM 33 IS INVALID FOR FAILURE TO DISCLOSE THE BEST MODE (MOTION NO. 6).**
11. **SECOND DECLARATION OF MATTHEW A. PEARSON IN SUPPORT OF CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-DEFENDANT AFFILIATES' REPLIES TO THEIR MOTIONS FOR SUMMARY JUDGMENT, MOTION FOR CONSTRUCTION OF CLAIM TERM "IMMULOGLOBULIN" AND RESPONSE TO DEFENDANTS' CROSS MOTION FOR SUMMARY ADJUDICATION.**
12. **APPLICATION TO FILE UNDER SEAL DOCUMENTS RELATING TO RELATING TO CENTOCOR ORTHO BIOTECH, INC. AND ITS COUNTER-DEFENDANT AFFILIATES' REPLIES IN SUPPORT OF MOTIONS FOR SUMMARY JUDGMENT, MOTION FOR CONSTRUCTION OF CLAIM TERM AND RESPONSE TO DEFENDANTS' CROSS-MOTION FOR SUMMARY ADJUDICATION.**
13. **[PROPOSED] ORDER TO FILE UNDER SEAL DOCUMENTS RELATING TO RELATING TO CENTOCOR ORTHO BIOTECH, INC. AND ITS COUNTER-DEFENDANT AFFILIATES' REPLIES IN SUPPORT OF MOTIONS FOR SUMMARY JUDGMENT, MOTION FOR CONSTRUCTION OF CLAIM TERM AND RESPONSE TO DEFENDANTS' CROSS-MOTION FOR SUMMARY ADJUDICATION.**

on the following person(s) in this action by placing a true copy thereof enclosed in sealed envelope addressed as follows:

**VIA HAND DELIVERY**

David I Gindler  
Joseph M Lipner  
Irell and Manella  
1800 Avenue of the Stars  
Suite 900  
Los Angeles, CA 90067-4276

Attorneys for Defendant and  
Counterclaimant City of Hope Medical  
Center

Tel: 310-277-1010

Fax: 310-203-7199

Email: [jlipner@irell.com](mailto:jlipner@irell.com);

[dgindler@irell.com](mailto:dgindler@irell.com)

[Coh.centocor.team@irell.com](mailto:Coh.centocor.team@irell.com)

<b>BY U.S. MAIL</b> Mark A. Pals Marcus E Sernel Kirkland and Ellis LLP 300 North LaSalle Street Chicago, IL 60654	Attorneys for Defendant and Counterclaimant Genentech, Inc. Tel: 312-861-2000 Fax: 312-861-2200 Email: <a href="mailto:mpals@kirkland.com">mpals@kirkland.com</a> <a href="mailto:msernel@kirkland.com">msernel@kirkland.com</a>
<b>BY U.S. MAIL</b> Daralyn J. Durie Ryan Kent Durie Tangri Lemley Roberts & Kent LLP 332 Pine Street Suite 200 San Francisco, CA 94104	Attorneys for Defendant and Counterclaimant Genentech, Inc. Tel: 415-362-6666  Email: <a href="mailto:ddurie@durietangri.com">ddurie@durietangri.com</a> <a href="mailto:rkent@durietangri.com">rkent@durietangri.com</a>

☒ **BY MAIL:** I am readily familiar with the firm's practice regarding collection and processing of correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **BY PERSONAL SERVICE:** I caused such envelope to be delivered by hand to the addressee(s) as stated above.

☐ **FEDERAL EXPRESS:** I am readily familiar with the office practice of Connolly Bove Lodge & Hutz LLP for collecting and processing correspondence for overnight delivery by Federal Express. Such practice is that when correspondence for overnight delivery by Federal Express is deposited with the Connolly Bove Lodge & Hutz LLP personnel responsible for delivering correspondence to Federal Express, such correspondence is delivered to a Federal Express location or to an authorized courier or driver authorized by Federal Express to receive documents or deposited at a facility regularly maintained by Federal Express for receipt of documents on the same day in the ordinary course of business.

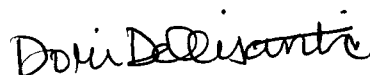
☒ **BY E-MAIL:** (1) I caused copies of the above documents to be emailed to the interested parties based on the email addresses indicated herein and/or (2) Based on General Order 08-02, the attached document(s) was sent to the person(s) at the e-mail address(es) indicated above through the Court's Electronic Filing System (ECF).

☒ **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

I hereby declare under penalty of perjury that the foregoing is true and correct.  
Executed on August 3, 2010 at Los Angeles, California.

Dori Dellisanti

Name



Signature

PROOF OF SERVICE BY HAND DELIVERY

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Apex Attorney Service, 1055 West Seventh St., Suite 250, Los Angeles, CA 90017.

On August 3, 2010, I served the following document(s):

1. **CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-DEFENDANT AFFILIATES' REPLY IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT OF NO WILLFUL INFRINGEMENT (MOTION NO. 1).**
2. **CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-DEFENDANT AFFILIATES' RESPONSE TO DEFENDANTS' STATEMENT OF UNDISPUTED FACTS IN SUPPORT OF CENTOCOR'S MOTION FOR SUMMARY JUDGMENT OF NO WILLFUL INFRINGEMENT (MOTION NO. 1)**
3. **REPLY IN SUPPORT OF CENTOCOR ORTHO BIOTECH, INC. AND ITS CROSS DEFENDANT AFFILIATES' MOTION FOR SUMMARY JUDGMENT OF NO INFRINGEMENT OF CLAIM 33 (MOTION NO. 3) AND RESPONSE TO DEFENDANTS' CROSS MOTION FOR SUMMARY ADJUDICATION.**
4. **RESPONSE TO DEFENDANTS' STATEMENT OF UNDISPUTED FACTS AND CONCLUSIONS OF LAW IN SUPPORT OF CENTOCOR'S MOTION FOR SUMMARY JUDGMENT OF NO INFRINGEMENT OF CLAIM 33 (MOTION NO. 3) AND RESPONSE TO DEFENDANTS' STATEMENT OF FACTS IN SUPPORT OF THEIR CROSS MOTION FOR SUMMARY ADJUDICATION.**
5. **CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-DEFENDANT AFFILIATES' REPLY IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF CLAIM 33 FOR FAILURE TO COMPLY WITH 35 USC § 112 (MOTION NO. 4).**
6. **CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-DEFENDANT AFFILIATES' RESPONSE TO DEFENDANTS' STATEMENT OF UNDISPUTED FACTS IN SUPPORT OF CENTOCOR'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF CLAIM 33 FOR FAILURE TO COMPLY WITH 35 USC § 112 (MOTION NO. 4).**
7. **CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-DEFENDANT AFFILIATES' REPLY IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT OF ANTICIPATION (MOTION NO. 5).**



- 1           **8. CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-**  
2           **DEFENDANT AFFILIATES' RESPONSE TO DEFENDANTS'**  
3           **STATEMENT OF UNDISPUTED FACTS IN SUPPORT OF**  
              **CENTOCOR'S MOTION FOR SUMMARY JUDGMENT OF**  
              **ANTICIPATION (MOTION NO. 5).**
- 4           **9. CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-**  
5           **DEFENDANT AFFILIATES' REPLY IN SUPPORT OF THEIR**  
6           **MOTION FOR SUMMARY JUDGMENT THAT CLAIM 33 IS**  
              **INVALID FOR FAILURE TO DISCLOSE THE BEST MODE**  
              **(MOTION NO. 6).**
- 7           **10. CENTOCOR ORTHO BIOTECH, INC.'S AND ITS COUNTER-**  
8           **DEFENDANT AFFILIATES' RESPONSE TO DEFENDANTS'**  
9           **STATEMENT OF UNDISPUTED FACTS IN SUPPORT OF**  
10           **CENTOCOR'S MOTION FOR SUMMARY JUDGMENT THAT**  
              **CLAIM 33 IS INVALID FOR FAILURE TO DISCLOSE THE**  
              **BEST MODE (MOTION NO. 6).**
- 11           **11. SECOND DECLARATION OF MATTHEW A. PEARSON IN**  
12           **SUPPORT OF CENTOCOR ORTHO BIOTECH, INC.'S AND ITS**  
13           **COUNTER-DEFENDANT AFFILIATES' REPLIES TO THEIR**  
14           **MOTIONS FOR SUMMARY JUDGMENT, MOTION FOR**  
              **CONSTRUCTION OF CLAIM TERM "IMMULOGLOBULIN"**  
              **AND RESPONSE TO DEFENDANTS' CROSS MOTION FOR**  
              **SUMMARY ADJUDICATION.**
- 15           **12. APPLICATION TO FILE UNDER SEAL DOCUMENTS**  
16           **RELATING TO RELATING TO CENTOCOR ORTHO**  
17           **BIOTECH, INC. AND ITS COUNTER-DEFENDANT**  
18           **AFFILIATES' REPLIES IN SUPPORT OF MOTIONS FOR**  
19           **SUMMARY JUDGMENT, MOTION FOR CONSTRUCTION OF**  
20           **CLAIM TERM AND RESPONSE TO DEFENDANTS' CROSS-**  
21           **MOTION FOR SUMMARY ADJUDICATION.**
- 22           **13. [PROPOSED] ORDER TO FILE UNDER SEAL DOCUMENTS**  
23           **RELATING TO RELATING TO CENTOCOR ORTHO**  
24           **BIOTECH, INC. AND ITS COUNTER-DEFENDANT**  
25           **AFFILIATES' REPLIES IN SUPPORT OF MOTIONS FOR**  
26           **SUMMARY JUDGMENT, MOTION FOR CONSTRUCTION OF**  
27           **CLAIM TERM AND RESPONSE TO DEFENDANTS' CROSS-**  
28           **MOTION FOR SUMMARY ADJUDICATION.**

on the interested parties in this action or proceeding, by personally delivering a copy thereof, enclosed in a sealed envelope(s), to the addressee(s) at the following address(es):

David I Gindler  
Joseph M Lipner  
Irell and Manella  
1800 Avenue of the Stars  
Suite 900  
Los Angeles, CA 90067-4276

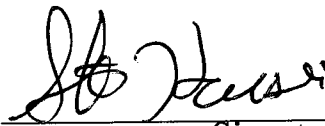
Attorneys for Defendant and  
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[Coh.centocor.team@irell.com](mailto:Coh.centocor.team@irell.com)

- ☐ State I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.
- ☒ Federal I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on August 3, 2010, at Los Angeles, California.

STEVE KAISER

Print Name



Signature